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THE MARION STAR

HOME EDITION

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...TY ON FRINGE ...COLD WAVE ...AT GRIPS U. S.

... 115 Lives ... Nation
... Zero Weather and
... Southern Storm.

... 6 ABOVE HERE

... Wave Travel Haz-
... Pedestrian In-
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... plunged to eight ... zero last night, ... a high of 28 above ... for the 24-hour period ... 8 a. m. today by Dr. E. ... weather observ- ...

A low of 22 above and a ... above were recorded a ... Snowfall yesterday and ... measured two inches ...

... motorists in the city were ... to drive slowly and ... the highways in the ... were reported by the state ... department to be in good ... The state highways ... Saturday night and ... trucks were out. ... velocity of the wind ... snow department ... county roads also ... County Surveyor ... reported. Two ... were on the job ... Sunday. ... reported was ... on Golden streets.

...ral Employe Hurt

... both of 203 St. James ... fractures of both ... to walk when she ... on the pavement ... she was walking ... where she is em- ... assistant to Postmaster ... and bookkeeper.

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...MPERATURES

... Report ...

READY FOR SHAVE

Back in 1932, when he joined the first "bonus march" to Washington, D. C., Mat Riley (above) of Milwaukee swore he'd let his whiskers grow until he got his bonus. He believes the day soon will come when he can shave them off. (Associated Press Photo).

SENATE SET TO PASS BONUS

LAVAL TO QUIT FRIENDS CLAIM

Declare Resignation of Cabinet Will Be Presented to Lebrun on Wednesday.

WON'T SACRIFICE HIMSELF

Flandin Mentioned, Although Some Believe Radical Socialist Will Be New Premier.

By The Associated Press

PARIS, Jan. 20—Friends of Premier Laval said today the government leader would submit the resignation of himself and his cabinet to President Lebrun Wednesday.

They said the premier refused to be "led to the chamber (of deputies) for sacrifice" on a vote of confidence and that he would refuse to attempt to form a new cabinet.

Former Premier Pierre-Etienne Flandin now is mentioned as a possible choice for the premiership, although the offer of the post to a Radical-Socialist is considered in some circles to be more likely.

The break between Radical ministers and Laval was attributed fundamentally to disagreement over the premier's handling of France's foreign policy in the Italo-Ethiopian crisis.

In the event of Laval's overthrow, a complete Radical-Socialist cabinet appeared to be the most likely prospect. It would be the first non-coalition ministry since Feb. 7, 1934.

The French Atlantic fleet steamed into the harbor at Casablanca, Morocco as the Mediterranean ships departed for Corsica. Radical Socialists, seeking the fall of the cabinet, named Edouard Daladier party president.

At Geneva an atmosphere of tranquility pervaded the league halls, predictions being freely circulated that not only no new sanctions would be voted against Italy but peace proposals might be forthcoming.

KENTON CHILD SHOT BY "UNLOADED" GUN

Revolver Given Boy by Father Is Accidentally Discharged.

Special to The Star

KENTON, Jan. 20—George Edward Nixton, eight-year-old son of Mr. and Mrs. L. L. Nixton of south of here, is in a critical condition in McKitrick hospital here, after having accidentally shot himself with what was thought to be an unloaded revolver, Saturday night at his home. Physicians hold little hope for his recovery.

The accident occurred shortly after 8:30 p. m. as the child was carrying his father's gun, a 38-special revolver into the bedroom, after Mr. Nixton had, as he thought, removed all the bullets. The bullet entered his right side, a corner of his left lung and the lining of his heart.

The gun is one used by Mr. Nixton, an employe of the Buckeye Fertilizer Co, to kill animals. In keeping with a daily custom, Mr. Nixton removed the bullets upon his return home Saturday night, and gave the child the gun to carry into the bedroom.

Mr. Nixton, who had just left the house when the accident occurred, was summoned by other children in the family, and with a neighbor, rushed the child to the hospital. Mrs. Nixton was in Kenton at the time of the accident.

STRICKEN ACTRESS BETTER

By The Associated Press

HOLLYWOOD, Calif., Jan. 20—Pauline Fdereick, veteran actress, was reported "out of danger" today after an emergency abdominal operation last week.

AAA TAX CASE UP IN SUPREME TRIBUNAL AGAIN

Government Asks Court To Clarify Action on $200,000,000 in Escrow.

FUND ORDERED RETURNED

Administration Claims Ruling Contradicts Earlier Decision; No Ruling on TVA.

BULLETIN

By The Associated Press

WASHINGTON, Jan. 20—The supreme court today ordered into immediate effect its decisions that the AAA act was unconstitutional and that $200,000,000 of processing taxes impounded in federal courts must be returned to the taxpayers.

* * *

WASHINGTON, Jan. 20 — The government asked the supreme court today for a rehearing on its decision giving to processors the $200,000,000 impounded by injunction suits against AAA taxes.

In the case of Louisiana rice millers ruled on last Monday the impounded taxes were ordered returned on the ground they were unconstitutional in the first place.

The request for a new hearing was based on the "pay first and litigate later" principle, which the court had apparently rejected in its decision. The taxes in question had never reached the treasury.

Asks Clarification

The government's brief did not attack the supreme court opinion, but asked for a clarification. It was contended the ruling contradicted an earlier one in a similar case.

The court had held that injunctions to stop collection of processing taxes were valid, despite a federal law against such injunctions, because these collections were not legal "taxes" but "exactions," improperly called taxes.

The government cited the law: "No suit for the purpose of restraining the assessment or collection of any tax shall be maintained in any court."

No TVA Ruling

The supreme court adjourned for two weeks without passing on validity of the TVA act.

The case, brought by preferred stockholders of the Alabama Power Co was expected to determine whether the government can sell surplus electricity in competition with private utilities.

Whatever the ruling—and government spokesmen expressed hope it will have an important bearing on other power projects scattered throughout the nation from Passamaquoddy in Maine to Grand Coulee in Washington state.

To Provide Yardsticks

Some of these, including Tennessee valley authority, were intended to provide "yardsticks" for costs of electric power. Administration men said they would set a standard for measuring proper costs to the public.

Whether that was the major purpose of TVA or whether it was intended primarily to aid navigation was one of the major questions considered during the arguments.

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Solicitor General Stanley Reed said that if the main purpose of the act was aiding navigation the power program was valid; but he conceded that it was invalid if sale of electricity was the major motive.

Cites War Powers

"We maintain," he said, "that under the commerce and war powers and the property clause of the Constitution, the government may dispose of any surplus power created by Wilson dam (at Muscle Shoals), and that the conversion of the water into electric energy and the transmission of the energy to market for sale are lawful means of disposition."

BIGELOW ANNOUNCES SHARE-WEALTH PLAN

By The Associated Press

CINCINNATI, Jan. 20 — Rev. Herbert S. Bigelow, independent member of council and leader here of Fr. Charles E. Coughlin's National Union for Social Justice was on record today with a proposed "share-wealth" program based on a tax upon real estate above an exempted $10,000.

He would tax realty holdings to a point sufficient, he said in an address, to provide $30 monthly "retirement income" to all single persons above 60 years of age, and $50 monthly to married couples, meeting similar age requirements.

Two Injunction Actions Filed in Rural Electric Line Controversy Here

Suits Brought Against C. D. & M. by Land Owners Backed by Farm Bureau Who Charge Company Bucks Federal Power Program.

Filing of two injunction suits in common pleas court this morning brought into the open details of a controversy over extension of electric power lines through Marion county's rural area.

On the one side is a group of farm owners headed by the Marion County Farm Bureau. On the other side is the C. D. & M. Electric Co.

Orley P. Shoots, farm owner, obtained a temporary injunction restraining the C. D. & M. from constructing a power line across his farm, located north of Marion at the intersection of the Walters and Upper Sandusky roads. Common Pleas Judge Hector S. Young granted the temporary injunction late this morning.

Judge Young refused Mrs. Lottie Merkle Caskey, resident of the Bucyrus road, an injunction order to restrain the company from energizing a line it already has erected in front of her property. She also sought a mandatory injunction to force the company to remove its lines.

Judge To Hear Cases

Both cases will be heard by Judge Young as soon as the electric company's attorneys are ready for a hearing.

Farm Bureau officials, headed by F. A. Davidson, president, and Roland Leeper, service manager, charge the C. D. & M. has been working "night and day and on Sunday" extending rural lines in an effort to combat the cooperative movement among farmers to obtain electric service through a rural electrification project the Farm Bureau helped set up for this county. The project, bearing the signatures of 700 farmers stating they are interested in rural electrification, is in Washington awaiting federal action, Leeper said.

M. J. O'Donnell, president of the C. D. & M. denied the charges of Farm Bureau officials and said this morning his company is extending its lines "only at the request of farmers and rural electrification officials," who he said have urged wholesale extensions. "We're not fighting anybody," he said. "The company is carrying on a logical program of expansion in rural districts. Farmers have more money now than they had a few years ago and are anxious to get service. Reduced cost of equipment for rural use enables us to give it to them cheaper than ever before. Many farmers have voluntarily given us rights-of-way for lines and urged us to give them service as soon as possible."

Farmers Keep Vigil

As company officials prepared to continue work in other parts of the county with a sizable program of extensions, Farm Bureau officials indicated other injunction suits may be filed.

The controversy reached critical proportions late last week and particularly during the week-end.

A group of at least 20 farmers kept an all-night vigil last night along the Walters road north of Marion to prevent any possible extension of lines by the company during the night. Spokesmen indicated the group was prepared to resist forcibly any effort to extend lines across the Shoots farm pending the filing of the injunction suit this morning.

The farmers' spokesman asserted the C. D. & M. crews worked yesterday morning in bitter weather and worked from midnight Friday night until daybreak Saturday in what they described as an effort to get lines built before legal action could be taken to head off the extensions.

C. D. & M. officials, however, denied the work was being pushed for this purpose. Mr. O'Connell said it is not uncommon for the company's workmen to work at night and on Sundays in their efforts to keep pace with the growing demands from farmers that service be extended to them.

Farm Bureau spokesmen asserted not only the C. D. & M. but other power companies in the state have attempted to head off rural electrification projects in

(Continued on Page Two)

Charles E. Curtis Robbed By Two On Way Home

Pair of Bandits Hold Up Funeral Director on East Center Street.

Two unarmed men robbed C. E. Curtis, Marion funeral director, of $38 in cash early last night while he was en route from the C. E. Curtis funeral home to his residence at 531 East Center street.

The robbery occurred about 8:45 on East Center street just west of Greenwood street. The men, apparently unarmed, were walking behind Mr. Curtis and as he stepped over to let them pass they grabbed him and rifled his pockets.

His money was in a wallet in his inside coat pocket, Mr. Curtis said. He valued the wallet very highly as a keepsake.

When the men let him go Mr. Curtis slipped and fell on the icy sidewalk, scratching his back and injuring his right arm. He was able to return at his work today.

Mr. Curtis said the robbers did not flash a gun. One of the men held one of his arms and one held the other while they rifled his pockets. The men were about 35 years old, Mr. Curtis said. Neither the robbers nor their victim spoke a word during the robbery. Mr. Curtis reported his loss to police today.

KIPLING TO REST IN WESTMINSTER ABBEY

By The Associated Press

LONDON, Jan 20 — Rudyard Kipling is going to rest in the poet's corner at Westminster Abbey.

The noted author, who died Saturday morning, five days after he underwent an emergency operation for a perforated stomach ulcer, will be buried Thursday in that last resting place of Britain's famous sons.

TRIBUTE TO M'CLAIN IN M'INTYRE COLUMN

High tribute to the writing ability of John McClain, former Marion man who is now on the staff of the New York American, is paid today by O. O. McIntyre, widely syndicated columnist, in his "New York Notes," which is a daily feature of The Star's editorial page.

Mr. McClain, son of Mr. and Mrs. C. W. McClain of 409 Bellefontaine avenue, is the ship news columnist for the American. He formerly was the ship news columnist for the Sun in New York.

CALL WORKERS IN PROBE OF HAWK'S NEST DEATHS

Victim of Silicosis Among Those Asked To Testify Before House Labor Subcommittee.

By The Associated Press

WASHINGTON, Jan. 20—Men who helped bore the Hawk's Nest, W. Va., water diversion tunnel were called today before a house labor subcommittee inquiring into charges that hundreds died from working on that big construction project.

Among those summoned was Charles Jones, said by those who instigated the inquiry, to be a victim of silicosis, a disease caused by silica dust settling in the lungs, contracted at Hawk's Nest. His wife, Mrs. Emma Jones, also was called to testify in connection with the death of their three sons after work on the tunnel.

Rep. Vic Marcantonio, Republican of New York, author of the resolution which started the investigation, charges 476 men died of silicosis from breathing fine dust on the West Virginia project. Another 1,500, many of them residents of Gauley Bridge, near Charleston, W. Va., he says, are dying from the same disease—which slowly congests the lungs—as a result of their work at the tunnel.

The tunnel was a forerunner to operation of a mammoth hydroelectric power plant.

Marcantonio also charged the contractor for building the tunnel had an agreement with an undertaker at Summerville, W. Va., to bury those who died on the project at about $50 each and that 160 bodies were dumped into a trench in a field with comrades as their only grave markers.

All of these charges the tunnel contractor, Rinehart and Dennis Co., of Charlottesville, Va., has branded as "gross misrepresentation and falsehood." Company officials say only 46 men died of various diseases from the start of the hydroelectric project April 1, 1930, to its virtual completion at the end of 1934.

The subcommittee also expected to hear today from Dr. L. R. Harless of Fayetteville, who treated many tunnel workers.

Marcantonio is asking a labor department inquiry into working conditions which prevailed at Hawk's Nest and similar projects over the land.

BRITAIN'S KING GROWS WEAKER BY THE HOUR

Ailing Monarch Signs Papers Passing Prerogatives to Queen and 4 Royal Sons.

CRISIS BELIEVED NEAR

Oxygen Administered Again as Strength Diminishes and Relatives' Visits Cut Short.

(Copyright, 1936, Associated Press)

SANDRINGHAM, Eng., Jan. 20—A physicians' bulletin announced at 5:30 p. m. today (12:30 p. m. Marion time) that the strength of King George V was "diminishing."

The bulletin, signed by three physicians, stated:

"The condition of the king shows diminishing strength."

Oxygen was administered again this afternoon to the sinking king.

A person in close touch with court circles described the king's slow weakening as "a general slowing up of the bodily machine."

This is at least the second time oxygen is known to have been given the king since Friday.

Every effort was being made to conserve the monarch's strength. Even the visits of Queen Mary and other members of the family to his bedside have been kept as short as possible.

The affairs of monarchy already had been taken over by a council of state appointed with the full knowledge of the failing king.

The sovereign's privy council, summoned from London, met in an apartment adjoining the royal sick room and appointed the members of the council of state while the 70-year-old king entered a possibly decisive stage of his sickness.

It was officially stated that the council of state consists of Queen Mary and the four royal sons, the Prince of Wales, and the Dukes of York, Gloucester and Kent.

Privy Council Meets First

The appointment of the council of state followed a special meeting of the privy council in the sitting room adjoining the king's chamber.

To attend the privy council session, Ramsay MacDonald, lord president of the council, and other members had come from London this morning.

In accordance with constitutional procedure, the door between the sitting room and the sick room was open with a member of the council standing at the portal so that the monarch was able to hear the voices of the counselors in the next room.

At the end of the brief privy council session, Lord Dawson of Penn, physician in ordinary to the king, himself a member of the council, took the state paper to the royal bedside, gave the monarch a pen, and stood silently while the royal signature was written.

The paper bearing the signature, "George R. I." then was handed to Sir Maurice Hankey, secretary of the council, who was charged with taking it to London.

This was the third council of state to be called during King George's 25-year reign. The first was appointed in 1925, when the king and queen went on a Mediterranean cruise after an illness; the second during the anxious days of 1928 when the monarch suffered his near-fatal sickness.

An official bulletin timed 5 p.

(Continued on Page Two)

GEORGE EMERSON SR., FORMER GROCER, DIES

Well-Known Marion Man Passes Away at Home of Son in Detroit.

George Emerson Sr., about 90, one of Marion's early retail grocers, died yesterday at the home of his son, George Emerson Jr. of Detroit, according to word received here today.

The body will be brought to Marion Tuesday at 11:57 a. m. and will be taken directly to the Marion cemetery for a short service conducted by Rev. James M. Fisher, Presbyterian minister, and burial.

Mr. Emerson years ago owned a grocery store at the northeast corner of Center and Prospect streets. After he retired he erected a business block at the southwest corner of Center and Union streets and lived in rooms at the rear, facing Union street.

About a year and a half ago Mr. Emerson's health began to fail and he moved to Detroit to be with his sons, George Jr. and Bain.

The son George Jr., formerly connected with a London, England advertising agency, has been engaged in advertising in Detroit for the last several years. It was his efforts that resulted in Mildred "Babe" Didrikson, outstanding woman athlete, signing a professional contract several years ago.

WHAT'S IN A NAME?

Leon Hitler (above) lost New York court that he had not used his name for two years because similarity to Germany's No. 1 cognomen caused him and his family embarrassment among their Jewish friends. The family monniker is now changed to Hilton. (International News Photo)

DUCE DEMANDS HIS OWN TERMS

His Envoy, Aloisi, Indicates Only Way Matter Can Be Settled Is by Army.

DANZIG HITS AT NAZIS

Free City Complains of Intensified Activities by Hitler's Henchmen.

BY JOSEPH C. HARSCH

Associated Press Foreign Staff

GENEVA, Jan. 20 — Italian sources announced categorically today that the Italo-Ethiopian conflict could be settled only along Italian lines as the League of Nations council opened its 90th session.

Baron Pompeo Aloisi, Premier Mussolini's Geneva representative, who was absent from the last special session, occupied his chair at the opening of today's session.

Authoritative Italian sources, however, said they had no peace proposals themselves and knew of none formed by others to settle the east African conflict in any way but that already undertaken by Italy's armies—conquest.

Fear Nazis In Danzig

Intensified Nazi activities in the free city of Danzig were reported officially to the League of Nations today by Sean Lester, high commissioner of Danzig at a private meeting of members of the council, opening their 90th session.

Lester's report stressed charges that Nazi leaders were defying more and more the Danzig constitution, which is guaranteed by the league.

The council, in a public session, then decided to convoke an international conference here Sept. 3 to discuss use of broadcasting in furthering peace.

To Give U. S. Japan Bid

The council voted to invite the United States and other non-members of the league, such as Germany, and Japan, to participate.

The nations council met amid an atmosphere of tranquility which diplomats believe may forestall imposition of further war sanctions against Italy.

Returning delegates held high hopes the resumed discussion of the east Africa war would not endanger the general peace of Europe but might even see new peace proposals advanced to end the Italo-Ethiopian conflict.

Report Part of Aksum Retaken

Meanwhile reports from Addis Ababa, as yet unconfirmed, told of congregation of thousands of Ethiopians around the northern frontier cities and partial recapture of the holy city of Aksum.

France and Great Britain moved to strengthen their African defenses. A reliable source at London disclosed a gigantic concentration of military and naval strength around the Egyptian area.

The majority of the English power lies in between 40,000 and 50,000 regular troops, 167 warships and 709 military planes.

The French Atlantic fleet entered the harbor at Casablanca, Morocco and the Mediterranean fleet set forth for Corsica.

Britain has given a broad hint to Premier Mussolini that there is to be no bombing of British Red Cross units in Ethiopia.

An authoritative source revealed today that Maurice Ingram, British charge d'affaires in Rome, called on Fulvio Suvich, Italian under-secretary for foreign affairs, last Saturday and politely called his attention to the exact location of the British Red Cross units which reached Desaye last week.

The first official British unit was to have gone to the Ogaden front but Ingram told Suvich of the change in plans "in order that there may be no misunderstanding."

REJECTS FINAL AMENDMENT TO PAYMENT PLAN

Called for Payoff of Present Value of Certificates Instead of 1945 Figure.

NEUTRALITY, FARMS NEXT

Senators Determined To Get Veterans' Measure Enacted Before Nightfall.

BULLETIN

By The Associated Press

WASHINGTON, Jan. 20—The senate today for the second time voted down a proposal to pay the soldiers' bonus in new currency.

* * *

WASHINGTON, Jan 20—The last major obstacle to passage of the bond payment bonus bill was cleared today with senate rejection of the King amendment to provide for payment of only the present surrender value of the adjusted service certificates.

The amendment, preceding to its author, Sen. King, Democrat of Utah, would have cost the government more than $1,000,000,000 less than the coalition bill's estimated ultimate cost of $2,491,000,000.

He contended over $3,000,000,000 had been spent on World war veterans to date and asserted the bill was not based on "sound strides."

King's was the only audible "aye" when his substitute was put to a voice vote.

Congress consolidated on getting the 1936-vet bonus issue out of the way before turning in earnest to two other major problems of the times—neutrality and farm relief.

Went Speedy Action

Flightly behind schedule, the senate determined to pass the "fully bond" bonus measure this afternoon while the house more or less marked time.

The senate leaders had hoped to pass the bonus bill on Saturday, but as many members had dinner engagements that a proposed night session was called off and the vote delayed until today.

All agreed that the senate would approve the measure overwhelmingly, and that it would gain the enthusiastic indorsement of the house, where it may be taken up tomorrow.

Up to Roosevelt Then

Then the next move will be up to the President, who vetoed the inflationary Patman bill last session, but has said nothing about the present bill. However, some observers believed there was significance in a passage in his New York speech yesterday, in which he quoted Theodore Roosevelt as saying:

"A man who is good enough to shed his blood for his country is good enough to be given a square deal afterward. More than that no man is entitled to, and less than that no man shall receive."

Whether this meant the President would approve the bill or veto it, bonus leaders, including some prominent administration men, were predicting the measure would become law anyway.

See Cost Only Billion

The bonus chiefs, counting on many veterans to hold their certificates to draw the 3 per cent interest offer as an inducement, say the immediate cost will be only $1,000,000,000.

The official estimate of the ultimate cost is $2,491,000,000 but Sen. Thomas, Democrat of Oklahoma, who wants to pay in new currency, contended the government might have to raise $4,000,000,000 if it pursued the bond method of financing.

FOX HUNT FAILS; WILL TRY AGAIN

Only an Opossum Landed in Drive Near Agosta; Another Set for February.

Disappointed but determined, 250 men and boys who participated in a futile fox hunt Saturday afternoon, near Agosta, have already begun plans for another to be held in February.

Hunters from all parts of Marion county and nearby territory took part in the hunt, but the attendance was held down by adverse weather conditions.

Although the hunting party failed in its search for foxes, one member of the group, Frank Edwards of Waldo, succeeded in capturing an opossum. It was auctioned nearly a dozen times with the proceeds going to the Marion Fish and Game Protective association, sponsors of the hunt. It was finally given to one of the younger hunters, but whether it was doomed to the stew pot or was to become a pet, was not learned.

C. H. Neimeyer of Prospect, state game protector, supervised the hunt and named residents of the district captains to lead the several groups into which the hunters were divided.

The date of the next hunt is to be announced when the association holds its next meeting, Feb. 4.

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